Instrument number CASA EX84/20

I, SHANE PATRICK CARMODY, Director of Aviation Safety, on behalf of CASA, make this instrument under regulations 11.160 and 11.245 of the Civil Aviation Safety Regulations 1998.

**[Signed S. Carmody]**

Shane Carmody
Director of Aviation Safety

14 May 2020

CASA EX84/20 — Chief Pilot Requirements (Aerial Application and Certain Aerial Work Operators) Instrument 2020

1 Name

 This instrument is *CASA EX84/20 — Chief Pilot Requirements (Aerial Application and Certain Aerial Work Operators) Instrument 2020*.

2 Duration

 This instrument:

(a) commences on the day after it is registered; and

(b) is repealed at the end of 31 May 2022.

*Note*For regulation 11.250 of CASR, the direction in section 6 ceases to be in force at the end of 31 May 2022.

3 Definitions

*Note*   In this instrument certain terms and expressions have the same meaning as they have in the *Civil Aviation Act 1988*, the regulations and the Civil Aviation Orders. These include: ***aerial work operations***, ***AOC*** and ***Chief Pilot***.

 In this instrument:

***aerial application operation*** has the meaning defined in regulation 137.010 of CASR.

***CAO 82.0*** means *Civil Aviation Order 82.0*, as in force from time to time.

4 Application

 This instrument applies to a person (the ***operator***) if:

(a) the operator is the holder of, or an applicant for, an AOC; and

(b) subject to paragraph (c), the only operations the AOC authorises, or is proposed to authorise, are:

 (i) aerial application operations; or

 (ii) aerial application operations and other aerial work operations in aeroplanes; and

(c) the AOC does not authorise, or propose to authorise, operations for the purpose of ambulance functions or any other purpose that is substantially similar to ambulance functions; and

(d) the operator has made an application to CASA for approval of the appointment of a person (the ***proposed person***) as, or to act as, its Chief Pilot; and

(e) the application is accompanied by evidence that the proposed person has, within the previous 24 months:

 (i) successfully completed a course of training mentioned in Schedule 1; and

 (ii) been assessed by the person conducting the course as suitable to carry out the responsibilities of a Chief Pilot.

5 Exemption

 The operator is exempt from the requirements of:

(a) paragraphs 1.3 (b) to (e) of Appendix 1 of CAO 82.0; and

(b) subsection 5 of CAO 82.0, to the extent that it requires compliance with the provisions mentioned in paragraph (a).

*Note*   Subclause 1.3 of Appendix 1 of CAO 82.0 requires a person to meet specified requirements before the person can be approved for appointment as an operator’s Chief Pilot.

6 Direction

 A person who conducts a course of training mentioned in Schedule 1 must allow CASA to conduct an audit of the course to:

(a) ensure maintenance of the course standards; and

(b) assess whether the course provides the level of training required to preserve an acceptable level of aviation safety.

*Note*Subpart 11.G of CASR allows CASA to issue a direction to a person who conducts a course of training mentioned in Schedule 1 in relation to the content and conduct of the course if the direction is necessary in the interests of the safety of air navigation.

Schedule 1 Course of training

 1 The Chief Pilots Course conducted by Aerial Application Association of Australia (***AAAA***) at Brisbane from 5 to 7 November 2019.

 2 A course of training, conducted by AAAA after the commencement of this instrument, that is substantially the same as the course mentioned in clause 1 and includes:

(a) activities based on skill; and

(b) reading comprehensive material; and

(c) following successful completion of the activities and reading mentioned in paragraphs (a) and (b), attendance at a workshop and training session which includes multiple assessed exercises over a period of at least 3 days.

 3 A course of training approved by CASA for this clause.